

1 William A. Helvestine State Bar No. 58755
2 Lisa Caccavo State Bar No. 256916
3 EPSTEIN BECKER & GREEN, P.C.
One California Street, 26th Floor
4 San Francisco, California 94111-5427
Telephone: 415.398.3500
Facsimile: 415.398.0955
WHelvestine@ebglaw.com
LCaccavo@ebglaw.com

6 Shlomo D. Katz [admitted *pro hac vice*]
7 BROWN RUDNICK LLP
601 Thirteenth Street, NW, Suite 600
Washington D.C. 20005
8 Telephone: 202.536.1753
Facsimile: 617.289.0775
SKatz@brownrudnick.com

10 Attorneys for Defendant,
WHITE OAK TECHNOLOGIES, INC.
11

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

15 BMMSOFT, INC.,

16 Plaintiff,

17 v.

18 WHITE OAKS TECHNOLOGY, INC. and
DOES 1-10;

19 Defendants.

CASE NO. CV 09-04562 MMC

**STIPULATION AND [PROPOSED]
ORDER FOR TELEPHONIC
APPEARANCE BY PARTIES AT
INITIAL CASE MANAGEMENT
CONFERENCE**

The Honorable Maxine M. Chesney
Action Filed: September 28, 2009
Trial Date: None Set

24 **WHEREAS**, by Order dated November 24, 2009, the Court set the date for the Initial
25 Case Management Conference as Friday, March 5, 2010;

26 **WHEREAS**, Shlomo D. Katz, counsel for Defendant WHITE OAK TECHNOLOGIES,
27 INC., is located in Washington D.C. and observes the Jewish Sabbath beginning at sunset on
Fridays and ending Saturday night, which observance includes not traveling on the Sabbath;

WHEREAS, Defendant's counsel would therefore have to remain in a hotel or other accommodations in the San Francisco area for his entire Sabbath observance if he appeared in person at the Case Management Conference on a Friday;

WHEREAS, Defendant's counsel asked Plaintiff's counsel to participate in the Initial Case Management Conference by telephone to accommodate Defendant's counsel's travel restrictions;

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel that the parties agree to participate in the Initial Case Management Conference by telephone

DATED: February 22, 2010

EPSTEIN BECKER & GREEN, P.C.

By: /s/ Lisa Caccavo
William A. Helvestine
Lisa Caccavo

Attorneys for Defendant
WHITE OAK TECHNOLOGIES, INC.

DATED: February 22, 2010

BROWN RUDNICK, LLP

By: /s/ Shlomo D. Katz
Shlomo D. Katz
[admitted *pro hac vice*]

Attorneys for Defendant
WHITE OAK TECHNOLOGIES, INC.

DATED: February 22, 2010

NARANCIC & KATZMAN, PC

By: /s/ Perry J. Narancic
Perry J. Narancic

Attorney for Plaintiff
BMMSOFT, INC.

ORDER

shall

Pursuant to the Stipulation above, the parties ~~may~~ participate in the Initial Case Management Conference, scheduled for March 5, 2010, by telephone.

IT IS SO ORDERED.

Dated: February 23, 2010

Maxine M. Chesney
The Honorable Maxine M. Chesney
UNITED STATES DISTRICT JUDGE